## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

WILLIAM H. DEASE,		)	
		)	
	Plaintiff,	)	
		)	
vs.		)	No. CIV-09-977-C
		)	
JOHN WHETSEL,		)	
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	Defendant	ĺ	

## ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation entered by United States Magistrate Judge Gary M. Purcell on October 8, 2009. The court file reflects that no party has objected to the Report and Recommendation within the time limits prescribed. However, Plaintiff filed a document on September 15 wherein he informs the Clerk of the confiscation of the Order to Cure Deficiency and the address to use after his release on September 22, 2009. It does not appear that any subsequent documents were mailed to the correct address.

Accordingly, the Court declines to adopt the Report and Recommendation, orders the Clerk to change the record to reflect the current mailing address, and to re-mail the Order to Cure Deficiency (Dkt. No. 4). Plaintiff shall comply with the Order on or before December 11, 2009. The matter is again referred to Judge Purcell.

IT IS SO ORDERED this 24th day of November, 2009.

ROBIN J. CAUTHRON United States District Judge